

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Heidi Lopez de Diego *et al.*

Serial No. 10/568,572 Group Art Unit: 1614

Filed: 14 August 2006 Examiner: N/A

For: SUCCINATE AND MALONATE SALT OF TRANS-4-(IR,3S)-6-CHLORO-3-PHENYLINDAN-1-YL)-1,2,2-TRIMETHYLPIPERIZINE AND THE USE AS A MEDICAMENT

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

9 October 2007

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir/Madam:

In order to comply with the duty of disclosure under 37 C.F.R. § 1.56, transmitted herewith is a SIDS in connection with the above-identified patent application. This Supplemental Information Disclosure Statement (SIDS) complies with the requirements under 37 C.F.R. § 1.98 and is being submitted pursuant to 37 C.F.R. § 1.97(b), wherein the SIDS is being offered for consideration in an international application, within three (3) months of the entry date into national stage as set forth in 37 C.F.R. § 1.491 or before the mailing date of a first Office Action on the merits.

As a first Office Action has not been received in connection with the above-identified application, Applicants believe that the SIDS is timely filed and no fee or certification is due or required. However, in the event that a first Office Action has been mailed, applicants hereby request consideration of this SIDS, and authorization is hereby given to charge to Deposit Account 503201 ONE HUNDRED AND EIGHTY DOLLARS (\$180.00). Also, authorization is

hereby given to charge any additional underpayment or credit any overpayment to this Deposit Account.

It is respectfully requested that the Examiner consider the cited references and that a copy of the enclosed Form PTO/SB/08a be returned indicating that the cited references have been considered. Applicants respectfully request that the Examiner make the cited references of record in the subject application.

Applicants would also like to bring to the attention of the Examiner that the previously filed SIDS dated August 1, 2007 was incorrectly submitted under 37 C.F.R. § 1.97(c)(2). However, on page 2 of the same, Applicants correctly state "Accordingly, pursuant to 37 C.F.R. §1.97(b)(3)...". Applicant respectfully request Examiner to allow 37 C.F.R. §1.97(b)(3) to override the incorrectly stated rule 37 C.F.R. § 1.97(c)(2).

If a telephone conference would be of assistance in advancing the prosecution of the subject application, the Examiner is invited to telephone Applicants' undersigned attorney at the number provided below.

Respectfully submitted,

/Margaret M. Buck/

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